

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONSERVATION LAW FOUNDATION,
INC.
and
CHARLES RIVER WATERSHED
ASSOCIATION, INC.

Case No. 22-11863

Plaintiffs,

v.

Michael S. REGAN, in his official capacity as
Administrator of the
U.S. Environmental Protection Agency,
David CASH, in his official capacity as Regional
Administrator for Region I of the U.S.
Environmental Protection Agency,
and
U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Defendants.

PLAINTIFFS' NOTICE OF SERVICE AND INTENT TO CONTINUE LITIGATION

Plaintiff Conservation Law Foundation, Inc. and Plaintiff Charles River Watershed Association, Inc. (collectively, “Plaintiffs”) respectfully submit notice of their timely execution of service of their Complaint, and of their declared intent to continue litigation pursuant to the Court’s order on March 31, 2023, denying Plaintiffs’ motion to stay litigation. ECF No. 9 (Order on Mot. to Stay).

In their opposition to Plaintiffs’ Motion to Stay Litigation, Defendants assert that Plaintiffs filed their March 17th motion to stay litigation “before even serving EPA with the Complaint.” ECF No. 8 at 2. The Court’s order on Plaintiffs’ motion to stay litigation repeats Defendants’ assertion. ECF No. 9. However, contrary to Defendants’ assertion—made on March 30—Plaintiffs executed service on March 17, as demonstrated by Plaintiffs’ filing of Summons Returns Executed. ECF No.

10. Plaintiffs moreover expressly informed counsel for Defendants via telephone on March 17, 2023 of Plaintiffs' intention to serve the Defendants that same day. Facts supporting this motion are set forth pursuant to Local Rule 7.1(b) in the Declaration of Attorney Heather A. Govern, attached hereto as **Exhibit A**.

CONCLUSION

WHEREFORE, Plaintiffs respectfully submit their intent to continue litigation of this matter.

Dated: March 31, 2023

Respectfully submitted,

CONSERVATION LAW FOUNDATION,
INC.

CHARLES RIVER WATERSHED
ASSOCIATION, INC.

By their attorneys:

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CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2023, the foregoing document was filed through the ECF system, by which means a copy of the filing will be sent electronically to all Parties registered with the ECF system, and sent to Defendants' counsel by email.

/s/ Heather A. Govern
Heather A. Govern